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May 30, 2012

OUR FILE NUMBER  
546712-0001

**VIA ECF AND FEDEX**

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Hon. William J. Martini  
United States District Court Judge  
U.S. District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street, Room 4076  
Newark, NJ 07101

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Re: **Ricky Dudley v. Christian W.E. Haub, et al.,**  
**Case No. 11-5196 (WJM-MF)**

Dear Judge Martini:

We represent Defendants Samuel Martin and Brenda Galgano in the above-referenced action. We write on behalf of all Parties to inform the Court that the Parties have entered into the attached Stipulation proposing to extend the deadlines for briefing in connection with Defendants' planned motions to dismiss the above-referenced action. We respectfully request that the Court so-order the attached Stipulation. Should the Court have any questions, please do not hesitate to contact me.

Respectfully submitted,

Allen W. Burton

Attachment

cc: All Counsel of Record (by ECF and e-mail)

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

RICKY DUDLEY, Individually and On	)	
Behalf of All Others Similarly Situated,	)	
	)	
Plaintiff,	)	
	)	No. 2:11-cv-05196
vs.	)	
	)	STIPULATION AND [PROPOSED] ORDER
CHRISTIAN W. E. HAUB, ERIC	)	
CLAUS, BRENDA M. GALGANO,	)	
RONALD MARSHALL, SAMUEL MARTIN,	)	
THE YUCAIPA COMPANIES LLC,	)	
RONALD BURKLE AND FREDERIC	)	
BRACE,	)	
	)	
Defendants.	)	

WHEREAS, City of New Haven Employees' Retirement System and Plumbers and Pipefitters Locals 502 & 633 Pension Trust Fund ("Lead Plaintiffs"), on the one hand, and all those who had been named as defendants in the original Complaint ("Original Defendants") [ECF Doc. #1], on the other hand, entered into a Stipulation and Proposed Order (the "Scheduling Stipulation") that was approved by the Court on February 3, 2012 [ECF Doc. #23];

WHEREAS, the Scheduling Stipulation was amended by a letter endorsed by the Court on March 2, 2012 [ECF Doc. #24];

WHEREAS, pursuant to the amended Scheduling Stipulation, Lead Plaintiffs filed their Amended Complaint on March 16, 2012 [ECF Doc. #25];

WHEREAS the Amended Complaint named three new defendants, The Yucaipa Companies, LLC, Ronald Burkle and Frederic Brace;

WHEREAS, pursuant to the amended Scheduling Stipulation, the Original Defendants' deadline to respond to the Amended Complaint is June 1, 2012;

WHEREAS, on April 24, 2012, the Court approved a schedule permitting Defendants The Yucaipa Companies, LLC and Ronald Burkle to respond to the Amended Complaint on June 1, 2012 [ECF Doc. #36];

WHEREAS, Defendant Frederic Brace has not been served with the Amended Complaint and has only recently retained counsel who, by executing this stipulation acknowledges service of process on Mr. Brace's behalf;

WHEREAS, for purposes of judicial economy, counsel for all of the Defendants named in the Amended Complaint have been coordinating in order to reduce both the number and volume of briefs that will be filed in support of Defendants' planned motions to dismiss the Amended Complaint;

WHEREAS, for purposes of judicial economy and ease of administration of the case, all Parties desire that Defendants respond to the Amended Complaint on the same schedule; and

WHEREAS, a brief extension of Defendants' deadline to respond to the Amended Complaint would enable all defense counsel to better coordinate on briefing and would allow the case to proceed on a uniform schedule:

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval, by and among the undersigned counsel to all Parties in the above-captioned action, as follows:

1. The Scheduling Stipulation, as amended, is hereby modified as follows:
  - (a) Defendants shall, no later than June 22, 2012, file and serve their motions to dismiss or any other responses to the Amended Complaint.
  - (b) Lead Plaintiffs shall, no later than August 22, 2012, file and serve their response to Defendants' motions to dismiss.

(c) Defendants shall, no later than October 8, 2012, file and serve any reply in support of their motions to dismiss.

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PURSUANT TO THIS STIPULATION, IT IS HEREBY SO ORDERED.

Dated: May \_\_\_\_, 2012

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HONORABLE WILLIAM J. MARTINI  
UNITED STATES DISTRICT JUDGE